

TESTIMONY OF GERARD SCANNELL

MANAGEMENT OF SAFETY & HEALTH SYSTEMS

BEFORE THE

**SUBCOMMITTEE ON EMPLOYMENT AND WORKPLACE
SAFETY COMMITTEE ON HEALTH, EDUCATION, LABOR AND
PENSIONS**

**UNITED STATES SENATE
WASHINGTON, DC**

APRIL 1, 2008

Chairwoman Murray, Ranking Member Isakson and Members of the Subcommittee, thank you for the opportunity to testify today.

I am Jerry Scannell. I am retired and living in Venice FL and Cape Cod, MA. My prior experience covers 40 years managing safety, health and environmental programs. A few of those positions were, Safety Director, Bristol PA plant, Rohm & Haas; VP Safety & Health, Johnson & Johnson; Assistant Secretary of Labor, Occupational Safety and Health Administration; President and CEO, National Safety Council.

What the past 40+ years of experience has proven to me is that Safety and Health programs must be fully integrated in the overall Company Management System! By that I mean, Safety and Health responsibility starts at the top of a company as with everything else in that company. The CEO or equivalent must hold the next layer of management accountable for all aspects of managing the company business. That layer of management must then hold the next layer of management accountable for their responsibility. It then cascades down to the lowest level of management. If Managers are not held accountable for some aspect of their job, then guess what? They probably won't spend much time on it. If it happens to be safety as so often happens, then the safety effort will suffer and something or someone will be harmed.

When the accountability of safety is missing, the communications between management gets fuzzy or at best poor. Back in the early 90's I talked to CEO's of companies who were involved in catastrophic explosions. One common denominator in several explosions was a breakdown in vertical communications. Almost every CEO said "no one ever told me we were at risk." The communications stopped at the mid executive level. There were executives and upper level managers that knew the company was at risk. The words most often used at that time were "cut costs". Here we are years later and I'm hearing the same words from the BP and other incidents.

We are having management systems failures.

We all know the **OSHA ACT** clearly places responsibility on the employer for maintaining a safe workplace. However complying with current OSHA standards and regulations will not guarantee a safe workplace. There needs to be a management system fully integrated into the OSHA standards and other requirements in order to insure a safe working environment.

There are many companies that have safety management system models that can be used to show how to operate a safe program. I will show you just one that I had documented for use at J&J. For other companies I would suggest you contact DuPont, The National Safety Council, or ORC.

In conclusion, I want to express my appreciation to the Subcommittee for allowing me to share my thoughts with you on this important issue for all Americans, and I thank the Chair and all members of the Subcommittee for your dedication to safety and health.

The Occupational Safety and Health Act was passed in 1970 due largely to the dedication and persistence of two individuals: Senator Pete Williams of New Jersey and Congressman William Steiger of Wisconsin. Few people know that when OSHA was established, I served as the Director of Safety and Health Standards for the agency. Even fewer know that in those days Senator Williams and Congressman Steiger would call me directly, and frequently, to tell me that they are watching and keeping an eye on what I and the rest of standards professionals are doing. They expected us to do the best job, not only for the agency, but for the benefit of the American worker and the American public. While many years have passed since those early years and while Senator Williams and Congressman Steiger are no longer with us, I still feel that they are watching us and judging us to see if we are doing the best possible job.

Thanks you for your attention.